IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Civil Writ Petition No.1841 of 1993

M.G.Shinde & ors. Petitioners
Vs.
Central Registrar & ors. Respondents

With
Civil Writ Petition No.1842 of 1993

Appasaheb @ Satgonda Revgonda
Patil & anr. Petitioners
Vs.
The Central Registrar, Co-op.
Societies and ors. Respondents

With
Civil Writ Petition No.1843 of 1993

Malkari N. Terdale & ors. Petitioners
Vs.
Central Registrar & ors. Respondents

With
Civil Writ Petition No.1844 of 1993

Shri S.P.Thorat & anr. Petitioners
Vs.
The Central Registrar & ors. Respondents

With
Civil Writ Petition No.4534 of 1993

Manohar Ganpati Shinde & ors. Petitioners
Vs.
The Central Registrar & ors. Respondents

Mr.K.K.Singhvi with Mr.M.L.Patil for petitioners in W.P.1841/93, 1842/93 and 4534/93.

Mr.Y.S.Jahagirdar with Mr.R.V.More for petitioners in W.P.1843/93 and 1844/93.

Mr.V.B.Rajure for Resp.No.4.

Mr.V.S.Gokhale, AGP for State.

CORAM: B.H.MARLAPALLE & D.B.BHOSALE,JJ.

March 13, 2006.

P.C.

. The first four petitions have challenged the validity of Rule 11(4) of the Multi State Co-operative Societies Rules, 1985 framed under the Multi State Co-operative Societies Act, 1984. The impugned order rejecting the membership of the petitioners was stayed by this Court while admitting the petitions and the petitioners were further granted liberty to apply afresh for membership. We are informed that in Writ Petition No.1841 of 1993 the petitioners had applied afresh for membership and the said application also came to be rejected and, therefore, Writ Petition No.4534 of 1993 came to be filed in the second round challenging the order dated 22/10/1993 passed by the Central Registrar of Co-operative Societies.

. The Multi State Co-operative Societies Act, 1984 has been repealed and the Central Government has enacted the Multi State Co-operative Societies Act,

2002. Under the said Act the Central Government has, by invoking its powers under Section 124 therein, has framed the Multi State Co-operative Societies Rules, 2002. Under Rule 11(4) of the Rules, 2002 there appears to be a provision for granting membership of another Primary Level Multi State Co-operative Society with the permission (General or Special) of the Central Registrar.

. The petitioners' membership was cancelled by the Respondent No.1 on an application made by one of the existing members and the said orders came to be stayed by this Court as a result of which the petitioners continued to be the members during the pendency of these petitions. In case any such application is made by any of the existing members challenging the membership of the petitioners under Rule 11(4) of the Multi State Co-operative Societies Rules, 2002, within a period of two months from today, the same shall be heard and decided as per the law by the Respondent No.1 and after hearing all the parties concerned within a period of three months from receiving such application.

. Consequently the impugned orders do not survive and the membership of the petitioners stands continued. A copy of this order shall be forwarded to Panchaganga Sahakari Sakhar Karkhana at Kolhapur by the Registrar (Judicial). Petitions are disposed off in terms of the above directions with no order as to costs.

(D.B.BHOSALE,J.) (B.H.MARLAPALLE,J.)